

EXHIBIT A

Exhibit A – Proposed Constructions and Supporting Intrinsic and Extrinsic Evidence**A. U.S. Patent No. 9,137,701**

Claim Term	Headwater’s Proposed Construction and Supporting Evidence	Samsung’s Proposed Construction and Supporting Evidence
“user of the device . . . perceiving any benefit from that application” (claim 2)	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>’701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the ’701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p> <p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p> <p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>8:15-22</p> <p>14:56-67</p> <p>16:25-28</p> <p>56:1-5</p> <p>56:56-60</p> <p>59:1-6</p> <p>61:37-46</p> <p><u>Extrinsic Evidence</u></p>

	<p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009); HW_00046172 (Webster's II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of "user of the device ... perceiving any benefit from that application" with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	
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B. U.S. Patent No. 9,143,976

Claim Term	Headwater's Proposed Construction and Supporting Evidence	Samsung's Proposed Construction and Supporting Evidence
<p>"user of the device . . . perceiving any benefit from that application" (claim 2)</p>	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>'701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the '701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>8:15-22</p> <p>14:56-67</p> <p>16:25-28</p> <p>56:1-5</p> <p>56:56-60</p>

	<p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p> <p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p> <p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009); HW_00046172 (Webster's II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of “user of the device . . . perceiving any benefit from that application” with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	<p>59:1-6</p> <p>61:37-46</p> <p><u>Extrinsic Evidence</u></p>
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C. U.S. Patent No. 9,271,184

Claim Term	Headwater's Proposed Construction and Supporting Evidence	Samsung's Proposed Construction and Supporting Evidence
“user of the device . . . perceiving any benefit from	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p>

that application” (claim 2)	<p><u>Intrinsic Evidence</u></p> <p>’701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the ’701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p> <p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p> <p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p> <p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009); HW_00046172 (Webster’s II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of “user of the device ... perceiving any benefit from that application” with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	<p><u>Intrinsic Evidence</u></p> <p>8:17-24</p> <p>14:57-15:1</p> <p>16:26-29</p> <p>56:1-5</p> <p>56:56-60</p> <p>59:1-6</p> <p>61:37-46</p> <p><u>Extrinsic Evidence</u></p>
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D. U.S. Patent No. 9,277,433

Claim Term	Headwater's Proposed Construction and Supporting Evidence	Samsung's Proposed Construction and Supporting Evidence
<p>“user of the device . . . perceiving any benefit from that application” (claim 3)</p>	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>'701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the '701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p> <p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p> <p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p> <p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009);</p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>8:15-22</p> <p>14:56-67</p> <p>16:25-28</p> <p>56:1-5</p> <p>56:56-60</p> <p>59:1-6</p> <p>61:37-46</p> <p><u>Extrinsic Evidence</u></p>

	<p>HW_00046172 (Webster's II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of "user of the device ... perceiving any benefit from that application" with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	
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E. U.S. Patent No. 9,277,445

Claim Term	Headwater's Proposed Construction and Supporting Evidence	Samsung's Proposed Construction and Supporting Evidence
<p>"user of the device ... perceiving any benefit from that application" (claim 2)</p>	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>'701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the '701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p> <p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>8:17-24</p> <p>14:57-15:1</p> <p>16:26-29</p> <p>56:1-5</p> <p>56:56-60</p> <p>59:1-6</p>

	<p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p> <p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009); HW_00046172 (Webster's II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of "user of the device ... perceiving any benefit from that application" with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	<p>61:37-46</p> <p><u>Extrinsic Evidence</u></p>
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F. U.S. Patent No. 9,251,578

Claim Term	Headwater's Proposed Construction and Supporting Evidence	Samsung's Proposed Construction and Supporting Evidence
<p>"user of the device ... perceiving any benefit from that application" (claim 4)</p>	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>'701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated</p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>8:23-31</p>

	<p>text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the '701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p> <p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p> <p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p> <p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009); HW_00046172 (Webster's II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of "user of the device ... perceiving any benefit from that application" with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	<p>15:7-18</p> <p>16:43-46</p> <p>57:16-21</p> <p>58:6-10</p> <p>60:20-25</p> <p>62:61-63:3</p> <p><u>Extrinsic Evidence</u></p>
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G. U.S. Patent No. 9,609,544

Claim Term	Headwater's Proposed Construction and Supporting Evidence	Samsung's Proposed Construction and Supporting Evidence
<p>“user of the device . . . perceiving any benefit from that application” (claim 2)</p>	<p>Not indefinite; plain and ordinary meaning.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>'701 patent at 5:57-6:18, 7:42-8:42, 11:16-12:27, 13:10-14:24, 15:60-16:54, 18:29-60, 20:1-40, 24:21-55, 25:22-26:2, and associated Figures; Figures 14-18, and associated text. For avoidance of doubt, because the specifications of the asserted patents at issue for claim construction disputes are materially identical, citations to the '701 patent specification should be understood to also refer to the corresponding portions of the specifications of the other asserted patents at issue.</p> <p>US Provisional Application 61/206354: Paragraphs [0063]-[0110], [0133]-[0143], [0149], [0161]-[0170], [0188]-[0189], [0202]-[0209], [0222]-[0236], [0258], [0305]-[0311], [0355]-[0360], [0375]-[0378], and associated Figures.</p> <p>US Provisional Application 61/348022: [0038]-[0043], [0053]-[0054], [0058]-[0062], [0069]-[0070], [0164], [0212], Figures 3, 20, and associated discussion</p> <p>7/28/2015 Office Action, File History of USPN 9,277,445; 10/26/2015 Applicant Amendment and Response, File History of USP 9,277,445</p> <p><u>Extrinsic Evidence</u></p> <p>HW_00046181 (Human-Computer Interaction Fundamentals, 2009); HW_00046176 (Human Machine Interaction: Research Results of the MMI Program, 2009);</p>	<p>Indefinite.</p> <p><i>Supporting Evidence:</i></p> <p><u>Intrinsic Evidence</u></p> <p>10:31-39</p> <p>17:15-26</p> <p>18:51-54</p> <p>59:23-27</p> <p>60:12-16</p> <p>62:26-31</p> <p>64:67-65:9</p> <p><u>Extrinsic Evidence</u></p>

	<p>HW_00046172 (Webster's II New Riverside Desk Dictionary); HW_00046173 (google.com); HW_00046186 (Oxford English Dictionary); HW_00046186 (Oxford English Dictionary); HW_00046187 (Merriam-Webster); HW_00046191 (Dictionary.com); HW_00046184 (Oxford English Dictionary);</p> <p>Expert testimony of Dr. Douglas Chrissan evidencing that one of ordinary skill in the art would understand the scope of “user of the device ... perceiving any benefit from that application” with reasonable certainty. <i>See</i> Chrissan Declaration served upon Samsung in accordance with P.R. 4-3(B).</p>	
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